

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
2011 APR -7 AM 9:08

UNITED STATES OF AMERICA,

Plaintiff,

V.

**JERED P. KEARNS,**

**Defendant.**

OFFICE OF THE CLERK  
VIOLATION NO. F4340059

4:11 cb 3002

## MOTION TO DEVIATE FROM FINE SCHEDULE

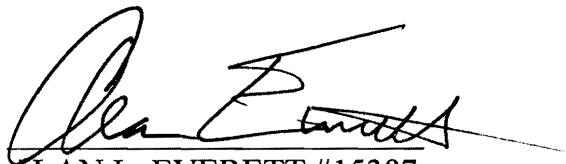
COMES NOW the United States and moves this Court for an order authorizing a deviation from the fine schedule in the above-captioned matter. The collateral fine amount set forth on the face of the above noted violation notice is \$175.00.

The parties desire to settle the above-captioned matter and, in recognition thereof, ask the court to reduce the collateral fine amount to \$100.00. The undersigned represents to the court that the matter has been discussed with the U.S. Fish and Wildlife Service, and the proposed settlement adequately addresses the government's concerns and interests in this case. The undersigned further represents to the court that this matter has been discussed with the defendant and he is in agreement with this proposal.

Respectfully submitted,

UNITED STATES OF AMERICA

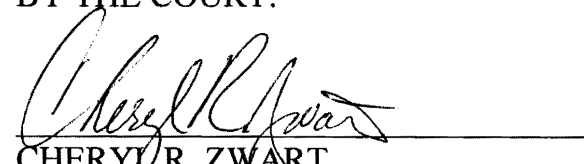
By: DEBORAH R. GILG  
United States Attorney  
District of Nebraska

And:   
ALAN L. EVERETT #15387  
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Lincoln, Nebraska 68508  
Telephone: (402) 437-5241

**ORDER**

IT IS SO ORDERED this 7<sup>th</sup> day of April, 2011.

BY THE COURT:

  
CHERYL R. ZWART  
United States Magistrate Judge

CERTIFICATE OF SERVICE

I, Alan L. Everett, hereby certify that a true and correct copy of the foregoing was served on the following by mailing same this 7 day of April, 2011.

Jered P. Kearns  
707 Bordeaux Street  
Chadron, NE 69337

A handwritten signature in black ink, appearing to read "Alan L. Everett", written over a horizontal line.

ALAN L. EVERETT  
Assistant U. S. Attorney